

EXHIBIT 1

**STATE OF NEW MEXICO
COUNTY OF GUADALUPE
FOURTH JUDICIAL DISTRICT COURT**

FILED
4th JUDICIAL DISTRICT COURT
Guadalupe County
12/13/2019 4:34 PM
CLERK OF THE COURT

LCE

ANDREA CHAVEZ,

Plaintiff,

vs.

No. D-424-CV-2019-00092

THE GEO GROUP INC.,

Aragon, Abigail

Defendant.

COMPLAINT FOR DISCRIMINATION AND RETALIATION

COMES NOW the Plaintiff Andrea Chavez ("Chavez") by and through her attorneys of record, Gilpin Law Firm, LLC, (Donald G. Gilpin and Christopher P. Machin) who makes this Complaint against Defendant and in support thereof and based on information and belief of Plaintiff, alleges and state:

JURISDICTION AND VENUE

1. Plaintiff Chavez is a resident of Santa Rosa, New Mexico.
2. Defendant, the Geo Group, Inc., is a foreign for profit entity doing business in Guadalupe County, New Mexico.
3. The incident giving rise to this Complaint took place in Guadalupe County, New Mexico.
4. This Court has jurisdiction over the subject matter and the parties.
5. Venue is proper because Defendant conduct business in Guadalupe County.
6. Plaintiff exhausted her administrative remedies and received a right to sue from the New Mexico Human Rights Bureau.

ALLEGATIONS

7. Plaintiff began working for Defendant in July of 2017.
8. Plaintiff was employed as an Administrative Clerk.
9. In September of 2017, Plaintiff had a brief relationship with a K9 Officer at the prison.
10. During the relationship, Plaintiff and the Officer exchanged sexual pictures and text between themselves.
11. The K9 Officer was also in a relationship with a female Lieutenant at the Prison.
12. When the Lieutenant found out about the relationship between Plaintiff and the K9 Officer, the Lieutenant began sending threaten messages to Plaintiff and showed other prison employees the private pictures of Plaintiff.
13. Plaintiff reported the hostile work environment to her Warden. However, no action was taken.
14. The threatening text messages continued and Plaintiff was told by several employees they had seen naked pictures of her. Plaintiff was also aware that employees of the prison were calling her derogatory names.
15. Plaintiff was extremely embarrassed and humiliated. Plaintiff was also in constant fear for her safety.
16. The threaten text messages stopped after several months.
17. In February of 2019, the threatening text messages started again. Plaintiff was also aware that naked pictures of her were being re-circulated in the prison.

18. Plaintiff reported the hostile work environment to the Vice President of Geo Group.
19. A few days later, the Warden called Plaintiff into his office. The Warden was very angry that Plaintiff had “gone over his head” to the Vice President.
20. Plaintiff was very fearful she would be terminated. Plaintiff had her computer access denied and was unable to perform her duties.
21. Plaintiff applied for several position with Defendant.
22. Plaintiff was able to be hired in the kitchen as a supervisor.
23. However, the hostile work environment continued. Plaintiff was constantly reminded by employees that they had seen naked pictures of her. Plaintiff was aware that employees were calling her names such as “tramp” and “whore.” Plaintiff was also fearful of retaliation from Corrections Officers who were friends of the Lieutenant.
24. Plaintiff finally resigned from her employment because she could no longer endure the hostile work environment.
25. As a result of Defendant’s actions, Plaintiff suffered damages in the form of lost wages, benefits, emotional distress and costs, including attorney’s fees.

COUNT I. SEX DISCRIMINATION

26. Plaintiff realleges and restates the allegations made in paragraphs 1 thru 25, and fully incorporates them herein.

27. Defendant has discriminated against Plaintiff in the terms and conditions of her employment on the basis of her sex in violation of the New Mexico Human Rights Act.
28. Defendant has discriminated against Plaintiff on the basis of a sex by subjecting her to a hostile work environment and forcing her to resign.
29. Plaintiff has suffered, and will continue to suffer, irreparable injury and monetary damages as a result of Defendant's discriminatory practices, unless, and until, this Court grants relief.

COUNT II. RETALIATION

30. Plaintiff realleges and restates the allegations made in paragraphs 1 thru 29, and fully incorporates them herein.
31. Defendant has retaliated against Plaintiff in the terms and conditions of her employment in violation of the New Mexico Human Rights Act
32. Defendant has retaliated against Plaintiff by subjecting her to a hostile work environment and forcing her to resign.
33. Plaintiff has suffered, and will continue to suffer, irreparable injury and monetary damages as a result of Defendant's retaliatory practices, unless, and until, this Court grants relief.

WHEREFORE, Plaintiff respectfully requests this Court to:

- A. Order Defendants to pay for the damages for lost wages, benefits, emotional distress and other compensatory damages of Plaintiff as a result of Defendant's actions and omissions.
- B. Award all applicable costs and attorney fees for bringing this action, and such further relief as the Court deems just and equitable.

Respectfully submitted,

GILPIN LAW FIRM, LLC

/s/ Donald G. Gilpin

Donald G. Gilpin

Christopher P. Machin

6100 Indian School Road NE

Ste. 115

Albuquerque, NM 87110

Phone: 505-244-3861

Fax: 505-254-0044

Attorney for Plaintiff